

FILED

AUG 05 2016

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

**GLENN TIBBLE; WILLIAM BAUER;
WILLIAM IZRAL; HENRY
RUNOWIECKI; FREDERICK
SUHADOLC; HUGH TINMAN, Jr., as
representatives of a class of similarly
situated persons, and on behalf of the
Plan,**

Plaintiffs - Appellants,

v.

**EDISON INTERNATIONAL; THE
EDISON INTERNATIONAL
BENEFITS COMMITTEE, FKA The
Southern California Edison Benefits
Committee; EDISON
INTERNATIONAL TRUST
INVESTMENT COMMITTEE;
SECRETARY OF THE EDISON
INTERNATIONAL BENEFITS
COMMITTEE; SOUTHERN
CALIFORNIA EDISON'S VICE
PRESIDENT OF HUMAN
RESOURCES; MANAGER OF
SOUTHERN CALIFORNIA EDISON'S
HR SERVICE CENTER,**

Defendants - Appellees.

Nos. 10-56406, 10-56415

D.C. No.
2:07-cv-05359-SVW-AGR
Central District of California,
Los Angeles

ORDER

THOMAS, Chief Judge:

Upon the vote of a majority of nonrecused active judges, it is ordered that this case be reheard en banc pursuant to Federal Rule of Appellate Procedure 35(a) and Circuit Rule 35-3. The three-judge panel opinion shall not be cited as precedent by or to any court of the Ninth Circuit.

Judges Bybee, Ikuta and Owens did not participate in the deliberations or vote in this case.